

SUNSET LANE

MEMORIAL PARK

An Endowment Care Property

Located at Mile Hill - Bethel Ave. Roundabout

**Offices at Rill's Tribute Center
1151 Mitchell Avenue
Port Orchard, Washington 98366
(360) 876-8376**

RULES AND REGULATIONS

A cemetery is a place not only for the burial of the dead, but for the expression of love and respect by the living for the dead. It will always be the aim to maintain Sunset Lane Cemetery as a quiet, beautiful memorial to those who have passed to their reward.

To attain and maintain a general good effect within the cemetery, it is essential that every part of it be well cared for. Sunset Lane Cemetery, through its permanent care fund trust agreement and, by retaining reasonable control of all activities within its grounds, intends to accomplish this end.

We have no desire to interfere with the privileges and tastes of the individual, but in all modern Memorial Parks and modern Mausoleums, it has been found necessary to formulate Rules and Regulations, binding upon all alike, in order to guard the rights of individuals and to maintain beauty; to insure a respectable manner of reposing the deceased and a proper observance of the sacredness of the institution.

Uniformity is in many respects important, and one of the main purposes of these Rules and Regulations is to give to Sunset Lane Cemetery the legal right to refuse permission to owners of property within the Cemetery to do things which in its judgment are inappropriate or conflicting.

Sunset Lane Cemetery is a private corporation and, by authority of Washington State Cemetery Code, reserves the right to refuse the use of its facilities at any time to any person or persons whom the management may deem objectionable to the best interests of the cemetery and of the owners of property therein, and to control the actions who do use its facilities.

The Rules contained herein have been formulated after careful study and after due consideration of the rules in force in other leading cemeteries of the country, and have been adopted for the sole purpose of safeguarding the interests of the individual owners of the interment space.

All plots, crypts, niches and services sold shall be subject to these Rules and Regulations, and subject further to such other Rules and Regulations, amendments and alterations as shall be adopted by Sunset Lane Cemetery from time to time; and the reference to these Rules and Regulations in a contract or in deeds or in certificates of ownership shall have the same force and effect as if set forth in full therein.

The original Rules and Regulations were approved and adopted by the Board of Directors of Sunset Lane Cemetery on March 15, 1946. They are made subject to the laws of the State of Washington and County of Kitsap, which may now be or may hereafter be in force governing Memorial Parks, Mausoleums and Cemeteries. The following are the Rules and Regulations of Sunset Lane Cemetery, some of which are from the original draft and some which have been amended.

Definitions

Rule 1. The term "Owner" is intended to mean and should be construed as meaning the ownership of the burial privileges and rights of use in any burial section or in crypts or niches in the mausoleum purchased from the Company for a consideration and evidenced by deed, certificate of ownership or written contract for deed or by devise from original owner of such deed, certificate of ownership or contract.

- A. The word "Company" will in all cases mean "Rill-Sunset Lane Cemetery, Inc."
- B. The terms used throughout these Rules and Regulations shall have the same meaning as said terms are defined in Chapter 68.04RCW.

Evidence of Ownership

Rule 2. The possession of a deed is not sufficient evidence of the transfer of a lot from the original owners, and no sale, transfer or assignment of any lot or interest therein shall be valid without the consent in writing of the Company endorsed upon each transfer or assignment. There will be a small charge for the approval of a transfer and its record on the books of the Company.

A. A new deed cannot be issued to replace a deed that has been lost or destroyed. A Certificate setting forth the recorded ownership will, however, be issued on payment of a small charge.

Burial

Rule 3. Amended 8/13/1998 Lot, crypt or niches in Sunset Lane Cemetery are conveyed only for the purpose of burial. Burial at Sunset Lane Cemetery shall be open to the remains of all persons, regardless of creed, race, sex, national origin or ancestry.

Divided Plots

Rule 4. Plots will be divided as sold. No objection exists, where there are joint owners, to an agreement between them as to parts of the plot to be used by each, or to single owners specifying who is to be interred in graves, but the Company will not undertake to enforce such agreements.

Memorials

Rule 5. No memorials may be erected without the consent of the Company which consent may be granted or withheld in its sole discretion. If any person wishes to erect a memorial the Company will be glad to furnish suggestions for a memorial acceptable to the company which will be in harmony with the landscaping plans of the Cemetery and make arrangements for its erection at the sole cost of the requesting person.

Transfers or Assignments

Rule 6. No transfer or assignment of any lot, crypt or niche or interest therein shall be valid without the consent of the Company first being had and endorsed upon such transfer. Evidence of transfer must be presented at the office of the Company immediately, and the same shall be recorded in its books. A small charge will be made for such transfer. Permits for the use of graves, crypts or niches will be issued only to owners who appear as such on the records of the Company. In all cases, the Company may demand, before issuing a permit for use, an affidavit from the person applying therefor that he is the then owner thereof and has not transferred or apothecated the same or any part thereof. Such affidavit accompanied by the evidence of transfer above mentioned shall relieve the Company of all liability.

A. The Company may refuse to consent to a transfer or to an assignment so long as there is any indebtedness due the Company from the record plot owner or from any one else in connection with interment in, or purchase of, the plot.

B. In the event an owner wishes to sell any grave, crypt or niche, the company reserves the right, and shall have the option, to repurchase such grave, crypt or niche for the same price as similar graves, crypts and niches are at such time being offered for sale by the company.

Ownership and Interment Rights

Rule 7. Owners of interment space must produce their deeds or other proof of ownership, if requested by the Company, before an interment is made.

A. It shall be the duty of owners of interment space to notify the Company of any change of address. Notice sent to an owner at the last address on file in the office of the Company shall be considered sufficient and proper legal notification.

B. In the case of the death of an owner of property, it shall be the duty of the heirs or the devisees to file with the Company proof of their ownership. This is a very important matter as the Company cannot permit any interment to be made until such proof is given.

Interments

Rule 8. The Company reserves the right to require the written consent of the owner or owners, who are recorded as such on the books of the Company, before interment will be permitted in the property of any deceased person.

A. Whenever an interment is to be made, 24 hours' notice should be given, and if the interment is to be made in a family plot, the number of the plot must be given and the grave to be used must be designated.

B. The Company shall not be held responsible for any order given by telephone, or for any mistake occurring from the lack of precise and proper instructions as to the particular space and location in a plot where interment is desired.

C. (Amended Sept. 18, 1997) All earth interments shall be made in concrete graveboxes or concrete vaults with or without inner linings. At least one of the following requirements must be met for each interment: 1) the body must be embalmed; or 2) the body must be in a casket that seals; or 3) the burial must be in a concrete vault that has an inner lining.

D. (Amended 8/13/1998 and 3/1/1999) Up to two individuals can be placed in one full grave space. That means two caskets (one casket being placed directly above the other casket) if the property was purchased prior to 3/1/1999 and it is safe to perform a tandem burial under cemetery standards, two urns or one companion urn, or one casket and one urn (not a companion urn).

E. (Amended 8/13/1998) The number of cremated remains that may be placed in a niche is determined by the Company. Each niche is designed to hold a certain number of urns as well as provide space for name placement.

F. The Company reserves the right to make an interment of any member of the immediate family upon written authorization of one of several plot owners.

G. When instructions regarding the location of an interment space in a plot cannot be obtained, or are indefinite, or when for any reason the interment space cannot be opened where specified, the Company may, in its discretion, open it in such location in the plot as it deems best and proper, so as not to delay the funeral; and the Company shall not be liable in damages for any error so made.

H. The Company reserves, and shall have, the right to correct any errors that may be made by it either in making interments, disinterments or removals, or in the description, transfer or conveyance of any interment property, either by canceling such conveyance and substituting and conveying in lieu thereof other interment property of equal value and similar locations as far as possible, or as may be selected by the Company, or, in the sole discretion of the Company, by refunding the amount of money paid on account of said purchase. In the event such error shall involve the interment of the remains of any person in such property, the Company reserves, and shall have, the right to remove and/or transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof. The company shall also have the right to correct any errors made by placing an improper inscription, including an incorrect name or date, either on the memorial or on the container for cremated remains.

I. The Company shall be in no way liable for any delay in the interment of a body where a protest of the interment has been made, or where the Rules and Regulations have not been complied with; and further, said Company reserves the right, under such circumstance, to place the body in a receiving vault until the right of all interested parties have been determined. The Company shall be under no duty to recognize any protest of interments unless they be in writing and filed in the office of the Secretary of the Company.

J. The Company shall not be liable for the interment permit nor for the identity of the person sought to be interred.

Removals

Rule 9. The removal by the heirs of the body of a deceased owner of interment space or other bodies interred in the interment space provided by the original owner, without full legal authority, is prohibited.

A. Removal, by the heirs, of a body or cremated remains so that the plot or crypt or niche may be sold for profit to themselves, or removal contrary to the expressed or implied wish of the original owner is repugnant to the ordinary sense of decency and is absolutely forbidden.

Supervision of Funerals

Rule 10. Direction of funerals within the Cemetery shall be subject to the control of the Company.

A. Funerals which arrive at the Cemetery so late as to preclude the filling of the grave or sealing of the crypt before 5:00 P.M., will be subject to extra charges.

Monuments

Rule 11. (Amended 1/12/96) Resolution #6. Be it resolved marker restrictions covered by Rule #11 of the Cemetery Rules and Regulations adopted March 1, 1946 be deleted due to the increasing number of public request for upright markers and the desire of the Board of Directors to serve all people requesting burial and special memorialization; therefore, be it now resolved that from January 2, 1996, Rule #11 is hereby eliminated from the Rules and Regulations.

Markers

Rule 12. (Amended 1/12/96) Resolution #7. Surface and upright markers subject to management approval may be allowed for memorialization at Sunset Lane Cemetery.

A. The installation of all markers, and of foundations or bases for such markers, if permitted, shall be made by the Company with a proper charge for the material and labor involved.

B. It is management's goal that uniformity be maintained in markers on lots and crypts; therefore, the use of varied materials in color or texture or the cutting of markers in varied designs or sizes is objectionable and shall remain under the sole control of the Company. Only markers approved by the Company will be permitted.

Floral and Other Decorations

Rule 13. (Amended 8/13/1998) Potted plants or fresh cut flowers will be permitted in the Cemetery proper, although, if they interfere with the daily operation of the cemetery, they will be removed.

A. All funeral designs, or flowers of any kind, placed on a grave or crypt or niche will be removed as soon as they become unsightly or otherwise objectionable.

Artificial Flowers

Rule 14. (Resolution #2 3/1/63) There have been numerous complaints because of the fact that artificial flowers soon become faded, soiled and unsightly; therefore, and after very careful consideration, the Company has decided to prohibit the placing of artificial flowers upon graves, crypts or niches during the mowing season (April 1 - November 1.) Those now placed will be removed as soon as, in the Company's opinion, they become unsightly or objectionable.

Sunset Lane's Flower Service (currently not available)

Rule 15. Sunset Lane Cemetery maintains a flower service whereby suitable bouquets are placed upon graves, crypts or niches on specified days for a very reasonable charge. This can be arranged by an endowment or a specified cost per bouquet. Contact the Company's office for full particulars.

Special Decorations

Rule 16. All flags and decorations of a similar nature placed upon graves, crypts or niches are subject to the approval of the Company and will be removed within 10 days in order to preserve a neat and attractive appearance to the Cemetery.

Vases

Rule 17. (Amended 8/13/1998) Vases for fresh cut flowers are provided at Sunset Lane Cemetery for no charge. Other vases will not be allowed except by special permission.

Landscaping

Rule 18. The Company has and will, at its own cost, landscape the entire Park with such shrubs and trees as are adaptable to the seasons. This will make it unnecessary for owners to plant flowers on individual graves or plots.

A. No trees or shrubs or flowers shall be planted, removed, cut down or destroyed within the boundaries or any plot or section, walk or lawn space without consent of the Company.

B. If any trees or shrubs or flowers shall become detrimental to any adjacent property, or shall become unsightly or inconvenient, it shall be the duty of the Company, and it shall have the right, to remove such trees or shrubs or flowers or such parts thereof as in the judgment of its management are unsightly, detrimental or inconvenient.

C. Flower beds are created and maintained by the Company. No plants or flowers shall be picked or taken up by any person or persons.

Benches, Enclosures, Etc.

Rule 19. No wood, iron or wire works, such as trellis work, benches, guards, etc., will be permitted without special arrangements with and approved by the Company.

Urns in Niches

Rule 20. The placing in niches of any object except urns and the remains therein is prohibited and the Company reserves the right to refuse placement of urns in niches that in its judgment are not proper or fitting.

Protection Against Loss

Rule 21. The Company shall take reasonable precaution to protect owners, and the property rights of owners, from loss or damage, and to furnish prompt and efficient service in all matters, but it distinctly disclaims responsibility for loss or damage from causes beyond its reasonable control, and specifically from damage caused by the elements, acts of God, common enemy, thieves, vandals, strikes, lockouts, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral.

Personal Conduct

Rule 22. All persons disturbing the quiet or good order by noise or disorderly or improper conduct will be ejected from the grounds, and the Company will refuse admission to the grounds to such persons as in its judgment should not be admitted.

A. Visitors are reminded that burial grounds and mausoleums and columbariums are sacredly devoted to the interment and repose of the dead, and that a strict observance of the decorum due to such institutions will be required.

Construction Work

Rule 23. No construction work of any nature whatsoever will be permitted by individuals or companies without the written consent and supervision of the Company.

A. The Company reserves the right to alter avenues and walks, to establish the grades of avenues, walks and roads and to make any other changes it may deem wise or expedient.

Endowment Care

Rule 24. The general care of the entire cemetery and columbariums is assumed by the Company, a part of the receipts from the sale of all burial space being set aside and placed in trust for the purpose of creating a trust fund, the income from which is devoted to such general care.

A. The term "Endowment Care" shall mean the cutting of the grass of the sections or lots at reasonable intervals, the raking or cleaning of the section or lot, the pruning of the trees or shrubs planted by the company or which were upon the lot at the time of purchase, and such work as may be necessary to keep the section or lot in good and neat condition; meaning and intending to continue for as long as is needed to be done upon sections, lots or the mausoleum in Sunset Lane Cemetery along these lines.

B. Under the agreement, however, the Company does not bind itself to maintain, repair or replace any markers, flower vases, furniture, rugs, statues or similar objects.

C. The amount of endowment care and special care given during any war emergency or strike or act of God shall be subject to the limitations of labor and equipment.

Miscellaneous

Rule 25. The gates to the cemetery will be open at 8:00 A. M. and will be closed at sunset. No person, other than employees, will be allowed in the grounds at other hours or to remain after closing hours except by special permission.

A. No vehicle shall be driven within the cemetery at a speed exceeding 15 miles per hour. Cars should be driven on the right side of all driveways and exceptional care should be exercised to avoid accidents.

B. Soliciting work of any description or placing of business cards or signs on any section or lots will not be permitted and persons doing such acts will be excluded from the grounds.

C. No money for any work done should be paid to any workman on the grounds. Pay at the office and get a receipt.

D. Employees are forbidden to accept gratuities from anyone.

E. No firearms will be permitted within the grounds except at military funerals.

F. Children will not be permitted to engage in play within the grounds, and children under 10 years of age will not be permitted unless accompanied by an adult.

G. No dogs will be permitted upon the grounds unless on leash or confined in cars.

Exception to Rules

Rule 26. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Company, therefore, reserves the right, without notice, to make exceptions, suspensions or modifications in any of these rules and regulations, when, in its judgment, the same appear advisable, and such temporary exception, suspensions or modification shall in no way be construed as affecting the general application of such rule.